

Abstract

The presented thesis with the title "*Members of Individual Types of Business Companies*" deals with the analysis of the legal status of companies' partners. The primary aim of the thesis is to identify and describe in detail the most fundamental aspects that define and influence the participation of members in particular forms of business companies, and, in the final consequence, the very nature of these entities.

The main subject of this thesis is a member's relationship, which represents a binding line between a business company and partners as individuals. Through the examination of particular elements of this legal relationship including specific ways leading to its creation or termination within each type of the business company the differences in the legal status of subjects of these entities are determined.

The issue of partners' legal status regulation is analysed from the perspective *de lege lata*, while in suitable cases the positive law is compared with the preceding legislation. The goal of such a comparison is to declare the evolution in the normative solution to a particular question. The thesis also deals with some parts of company laws which are problematic in terms of interpretation. Using the interpretative rules, I am assuming a viewpoint of my own in order to overcome the prevailing descriptive character of the chosen issue.

The thesis can be divided into two notional parts: The first part includes chapter one which describes in general and on the theoretical level the basic concepts related to the chosen subject. Particular subsequent chapters contain characteristics of business companies, members and relationships established among these subjects, including rights and obligations forming its contents. The concept of shares is covered as well.

The second part represents the specific focus of this thesis. Within chapters two to five the legal status of members in particular forms of business companies is examined, namely Unlimited Partnership, Limited Partnership, Private Limited Company and Public Limited Company. At the beginning, each of these chapters briefly describes the development in time of the particular business company, characterizes its nature and also

the organization structure. The conditions which must be met to amend the founding legal actions are also analysed. Finally, the thesis examines in detail the legislation of remaining terms generally defined in chapter one so that the thesis purpose will be met and differences in the legal status of members of individual types of business companies can be sufficiently declared.

In conclusion, the thesis briefly summarizes the findings gained by elaborating the subject matter chosen. In this context, it can be stated that the thesis meet the set goal.